

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

★ MAY 02 2017 ★

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BROOKLYN OFFICE

UNITED STATES OF AMERICA

FACTUAL ALLEGATIONS  
IN SUPPORT OF JUDICIAL REMOVAL

- against -

Criminal Docket No. 17-CR-109 (ILG)

DMITRII KARPENKO

Defendant.

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NOTICE IS HEREBY GIVEN TO DMITRII KARPENKO ("the defendant") and to his attorney of record herein, Richard Levitt, Esq., that the United States of America alleges the following facts in support of the Notice of Intent to Request Judicial Removal:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of the USSR and citizen of Russia.
3. The defendant was admitted into the United States as a nonimmigrant visitor pursuant to a B-2 visa at or near Jamaica, New York, on or about October 1, 2016, with a period of authorized admission until March 31, 2017.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Eastern District of New York, of the offense of conspiracy to violate the International Emergency Economic Powers Act (IEEPA) in violation of 50 U.S.C. §§ 1705(a) and 1705(c).
5. A maximum sentence of not more than 20 years may be imposed for a violation of this offense.
6. The defendant is, and at time of sentencing will be, subject to removal from the United States pursuant to: (1) Section 237(a)(1)(B) of the Immigration and

Nationality Act (“INA” or the “Act”) of 1952, as amended, 8 U.S.C. § 1227(a)(1)(B), as a person who after admission as a nonimmigrant under Section 101(a)(15) of the Act, remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States, and (2) Section 237(a)(4)(A)(i) of the Act, 8 U.S.C. § 1227(a)(4)(A)(i) as amended, as a person who has engaged, is engaged, or at any time after admission engages in any activity to violate any law of the United States relating to espionage or sabotage or to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information.

WHEREFORE, pursuant to section 238(c) of the INA, 8 U.S.C. § 1228(c), the United States requests that the Court, at the time of sentencing, order that the defendant be removed from the United States to Russia promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing.

Dated: Brooklyn, New York  
April 27, 2017

BRIDGET M. ROHDE  
Acting United States Attorney  
Eastern District of New York

By: /s/Craig R. Heeren  
Craig R. Heeren  
Assistant United States Attorney